



9-11-02

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Havenga et al.

**Serial No.:** 10/040,949

**Filed:** January 7, 2002

**For:** INFECTION WITH CHIMAERIC  
ADENOVIRUSES OF CELLS NEGATIVE  
FOR THE ADENOVIRUS SEROTYPE 5  
COXSACKI ADENOVIRUS RECEPTOR  
(CAR)

**Confirmation No.:** 5172

**Examiner:** To be assigned

**Group Art Unit:** 1645

**Attorney Docket No.:** 2183-5226US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV175437565US

Date of Deposit with USPS: September 9, 2002

Person making Deposit: Jon Wentz

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Attention: Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

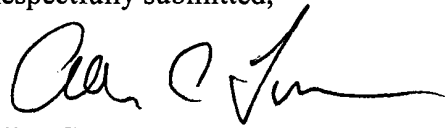
In connection with the above-referenced patent application, enclosed is a copy of the Notice to File Missing Parts of Nonprovisional Application, along with Declaration and Power of Attorney, Statement under 37 C.F.R. §§ 1.821(f)&(g) and check to cover the filing fee, additional claims fee and surcharge.

Serial No.: 10/040,949

A check in the amount of \$486.00 is enclosed in payment of all required fees (\$370 for statutory basic filing fee, \$65 for late oath or declaration surcharge, and \$51 for additional claims). If the amount of the check is insufficient, please debit TraskBritt Deposit Account No. 20-1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

This document is being filed within two (2) months from the mailing date of the Notice to File Missing Parts.

Respectfully submitted,



Allen C. Turner  
Registration No. 33,041  
Attorney for Applicant(s)  
TRASKBRITT, PC  
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Date: September 6, 2002  
ACT/bv

Enclosures: Copy of Notice to File Missing Parts of Application  
Check in the amount of \$486.00  
Statement under 37 C.F.R. §§ 1.821(f)&(g)

Document in ProLaw

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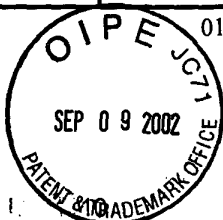


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/040,949         | 01/07/2002          | Menzo Havenga         | 2183-5226US            |

24247  
TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CI



CONFIRMATION NO. 5172

## FORMALITIES LETTER



\*OC000000008527248\*

09/12/2002 GHORDOF1 00000051 10040949

01 FC:201  
02 FC:202  
03 FC:203  
04 FC:205

370.00 OP  
42.00 OP  
9.00 OP  
65.00 OP

Date Mailed: 07/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patent Software, call (703) 306-2600
- For Patent Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$51** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$486** for a Small Entity

- **\$370** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$51**
  - **\$9** for 1 total claims over 20.
  - **\$42** for 1 independent claims over 3.

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*A copy of this notice **MUST** be returned with the reply.*

  
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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE